



CITY OF MORGAN HILL  
COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION

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## PLANNING COMMISSION

**TUESDAY, JULY 26, 2005**

**CITY COUNCIL CHAMBERS  
CIVIC CENTER  
17555 PEAK AVENUE  
MORGAN HILL, CA**

### COMMISSIONERS

CHAIR RALPH LYLE  
VICE-CHAIR ROBERT J. BENICH  
COMMISSIONER H. GENO ACEVEDO  
COMMISSIONER ROBERT L. ESCOBAR  
COMMISSIONER SUSAN KOEPP-BAKER  
COMMISSIONER JOSEPH H. MUELLER  
VACANT

**REGULAR MEETING - 7:00 P.M.**

### **\*\*\* A G E N D A \*\*\***

### **NOTICE TO THE PUBLIC**

*The following policies shall govern the conduct of the Planning Commission meetings:*

- *All Planning Commission proceedings are tape-recorded.*
- *Individuals wishing to address the Planning Commission on a particular item should fill out a speaker card and present it to the Secretary. This will assist the Chairperson in hearing your comments at the appropriate time.*
- *When the Chairperson invites you to address the Commission, please state your name and address at the beginning of your remarks.*
- *Speakers will be recognized to offer presentations in the following order:*
  - *Those supporting the application*
  - *Those opposing the application*
  - *Those with general concerns or comments*
  - *Presentations are limited to 5 minutes*

**DECLARATION OF POSTING OF AGENDA IN ACCORDANCE WITH  
GOVERNMENT CODE SECTION 54954.2 - SECRETARY REPORT**

**OPEN PUBLIC COMMENT PERIOD (5 MINUTES)**

Now is the time for presentation from the public on items **NOT** appearing on the agenda that are within the Planning Commission's jurisdiction. Should your comments require Commission action, your request will be placed on the next appropriate agenda. No Commission discussion or action may be taken until your item appears on a future agenda. You may contact the Planning Division for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your comments to five (5) minutes.

**MINUTES:** June 28, 2005 and July 12, 1005

**OLD BUSINESS:**

- 1) **GENERAL PLAN AMENDMENT, GPA-04-07/ZONING AMENDMENT, ZA-04-14: MORGAN HILL DOWNTOWN PLAN-SUNSWEEET PROPERTY:** An amendment to the General Plan text to increase the density on a 2.79 acre site known as the "Sunsweet Property" which encompasses APN's 726-13-032, 033, 034, 041, 042, 043 & 044. The proposed text amendment would allow the residential density on the site to increase from 8-18 dwelling units per acre to 25-40 dwelling units per acre. Also proposed is the rezoning of the "Sunsweet Property" as a Planned Unit Development PUD.

**Recommendation:** Reopen/Close Public Hearing/Adopt Resolution Nos. 05-39 (general plan amendment); and 05-40 (zoning amendment), with recommendation to forward requests to the City Council for approval.

**NEW BUSINESS:**

- 2) **ZONING AMENDMENT, ZA-04-16/SUBDIVISION, SD-04-13/DEVELOPMENT AGREEMENT, DA-04-05: BARRETT-ODISHOO:** A request to approve a precise development plan for 36 single family attached homes on a 7-acre lot located on the south east corner of the intersection of Barrett Ave. and Butterfield Blvd. in the R-2 3,500, Residential Planned Development zoning district. Also requested is the approval of a 36-lot subdivision and development agreement for the project. A mitigated negative declaration is proposed for the project. (APN 817-33-003)

**Recommendation:** Open/Close Public Hearing/Adopt Resolution Nos. 05-42 (zoning amendment); 05-43 (subdivision); and 05-44 (development agreement), with recommendation to forward requests to the City Council for approval.

- 3) **RESIDENTIAL DEVELOPMENT CONTROL SYSTEM (RDCE) QUARTERLY REPORT:** Quarterly review of the progress of residential projects that have been awarded building allocations under the City's Residential Development Control System.

**Recommendation:** Approve report, with recommendation to forward to the City Council for approval.

## PLANNING COMMISSION AGENDA

JULY 26, 2005

PAGE 3

- 4) **FLEXIBILITY FOR DOWNTOWN RESIDENTIAL ALLOCATIONS:** Discussion regarding possible methods to adjust the timing of the City's Residential Development Control System Building Allocations to encourage new development in the City's Downtown Area.

**Recommendation:** Discussion/Provide recommendations for City Council consideration.

### **TENTATIVE AGENDA ITEMS FOR THE AUGUST 9, 2005 MEETING:**

- **ZA-05-06: City of M.H. - Mast Street PUD District Amendment**
- **Review of Cochrane-DiNapoli/Browman Draft EIR**

### **ANNOUNCEMENTS:**

### **CITY COUNCIL REPORTS**

### **ADJOURNMENT**

### **SPEAKER CARD**

*IN ACCORDANCE WITH GOVERNMENT CODE 54953.3, IT IS NOT A REQUIREMENT TO FILL OUT A SPEAKER CARD IN ORDER TO SPEAK TO THE PLANNING COMMISSION. HOWEVER, it is very helpful to the Commission if you would fill out the Speaker Card that is available on the counter in the Council Chambers. Please fill out the card and return it to the Deputy City Clerk. As your name is called by the Chairperson, please walk to the podium and speak directly into the microphone. Clearly state your name and address and proceed to comment upon the agenda item. Please limit your remarks to three (3) minutes.*

### **NOTICE**

### **AMERICANS WITH DISABILITY ACT (ADA)**

*The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City.*

*If assistance is needed regarding any item appearing on the Planning Commission agenda, please contact the Office of the City Clerk at City Hall, 17555 Peak Avenue or call 779-7259 or Hearing Impaired only - TDD 776-7381 to request accommodation.*

**PLANNING COMMISSION AGENDA**

**JULY 26, 2005**

**PAGE 4**

**NOTICE**

*NOTICE IS GIVEN pursuant to Government Code Section 65009, that any challenge of any of the above agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the Public Hearing on these matters.*

**NOTICE**

*The time within which judicial review must be sought of the action taken by the Planning Commission which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.*